

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

DALE RUSSELL,

Defendant.

Cause No. 1:08 - CR - 0044 JFH-KPF

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

INDICTMENT

COUNTS 1-4

(Production of Child Pornography)

The Grand Jury charges that:

In or between approximately 2004, within the Southern District of Indiana and elsewhere, DALE RUSSELL, the defendant herein, did employ, use, persuade, induce, entice and coerce any minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and the defendant knew and had reason to know that such visual depiction would be transported in interstate or foreign commerce or mailed, or that such visual depiction was produced using materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer, or such visual depiction has actually been transported in interstate or foreign commerce or mailed, to wit: on the occasions indicated below, DALE RUSSELL employed, used, persuaded, induced, enticed, or coerced Jane Doe 1 (born in 1992), and Jane Doe 2 (born in 1994), to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct as defined in Title 18, United States Code, Section 2256(2), and did aid and abet such conduct, for the purpose of producing images of Jane Doe 1 and Jane Doe 2 as follows:

| Count | Date (Approximately in or about) | General Description | File |
|-------|--|---|---|
| 1 | 2004 | Jane Doe 1 depicted with "Sponge Bob" themed items | img20060209034713.jpg img20060209034757.jpg img20060209030724.jpg img20060209030946.jpg img20060209023642.jpg img20060209023945.jpg IMG_5873.JPG.jpg img2006020931702.jpg img20060209034551.jpg |
| 2 | 2004 | Jane Doe 1 in gym near red mats | DSCF_1309.jpg |
| 3 | 2004 | Jane Doe 2 in bathroom with white towel | FILE0001b.jpg FILE0002b.jpg |
| 4 | 2004 | Jane Doe 2 in gym near bar | DSCF_1226.jpg |

Each of which is a separate violation of Title 18, United States Code, Section 2251(a) and (d) and 2.

TIMOTHY M. MORRISON
Acting United States Attorney

by:

Gayle L. Helart
Gayle L. Helart
Assistant United States Attorney

FORFEITURE ALLEGATION

1. The allegations of this Indictment are realleged as if fully set forth here, for the purpose of alleging forfeiture, pursuant to Title 18, United States Code, Section 2253.

2. If convicted of any of the offenses set forth in Counts 1 through 4 above, DALE RUSSELL, the defendant herein, shall forfeit to the United States any and all visual depictions described in Section 2251(a), and 2252(a)(4)(B) and any property, real or personal, used or intended to be used to commit or to promote the commission of any of the offenses set forth in Counts 1 through 4 above, and any other images of any minors engaging in sexually explicit conduct per 18 U.S.C. §2256 and child erotica.